

SOLOMON PEARL BLUM HEYMANN & STICH LLP
Attorneys for Defendant
Bradford Black
40 Wall Street
35th Floor
New York, New York 10005
(212) 267-7600
David P. Stich (DPS #9096)
Jill H. Teitel (JT#8559)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

ISAAC STENGEL, : 08 Civ. 00416 (GEL)

:
Plaintiff, :

-against- : **NOTICE OF MOTION**

:

BRADFORD BLACK, :
Defendant. :

- - - - - X

PLEASE TAKE NOTICE, that upon the annexed affidavit of Jill H. Teitel, Esq. sworn to on the 11th day of February, 2008, the exhibits annexed thereto; and upon all other papers filed and proceedings heretofore had herein, Dr. Black will move this Court before the Honorable Gerard E. Lynch, United States District Judge, United States Court House, 500 Pearl Street, Courtroom 6B, New York, New York 10007, on March 11, 2008 for an order: dismissing this action pursuant to Fed. R. Civ. P. 12(b)(1)(2) and (6) and (2) granting Dr. Black such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that opposition papers shall be served pursuant to the Local Civil Rules of this Court on or before February 22, 2008; reply papers shall be served five business days plus any additional days pursuant to Fed. R. Civ. P. 6(e) after service of any opposition papers.

Dated: New York, New York
February 11, 2008

SOLOMON PEARL BLUM HEYMANN
& STICH LLP

By:



Jill H. Teitel (JHT #8559)
David P. Stich (DPS #9096)
Attorneys for Defendant
Bradford Black
40 Wall Street, 35th Floor
New York, New York 10005
Telephone: (212) 267-7600
Telecopier: (212) 267-2030

To: ISAAC STENGEL
Plaintiff Pro Se
c/o Diamond Dealers Club
11 W. 47th Street
New York, New York 10036
(917) 416-1759

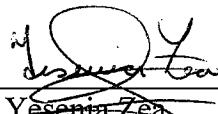
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
BUSHIDO CAPITAL MASTER FUND, :
L.P., BCMF TRUSTEES, L.L.C., :
:
Plaintiffs, : 08 Civ. 0146 (LTS)
-against- :
: AFFIDAVIT OF SERVICE
BIONUTRICS, INC., :
:
Defendant. :
:
----- X
STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

YESENIA ZEA, being duly sworn, hereby deposes and says:

1. I am over eighteen years of age, not a party to this action and reside in Queens, New York.
2. On March 10, 2008, I served one copy of the annexed NOTICE OF MOTION, by depositing the same, enclosed in a securely sealed first class postage paid envelope, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York addressed to:

Crowell & Moring LLP
Attorneys for Plaintiffs
Attn.: Peter R. Ginsberg
153 East 53rd Street, 31st Floor
New York, New York 10022
Telephone: (212) 223-4000


Yesenia ZEA

Sworn to before me this
11th day of March, 2008


Notary Public

DAVID P. STICH
Notary Public, State Of New York
No. 02ST4981028
Qualified In New York County
Commission Expires May 6, 2010